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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,478	02/06/2004	Shuji Ohbayashi	09812.0407	7044
22852	7590	02/23/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			KRAVETS, LEONID	
			ART UNIT	PAPER NUMBER
			2189	

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/773,478	OHBAYASHI, SHUJI	
	Examiner	Art Unit	
	Leonid Kravets	2189	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig 4c, 5a, 5b and 5c. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: In the first sentence under the heading "Playback Control of Portable Digital Player", "portable" is misspelled as "potable". On page 8, line 12 "step" is misspelled as "sep".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Karasudani (US Pub No 2001/0016841).

5. As per claim 1, Karasudani discloses an electronic device, which is adapted to use a storage medium in which content data is divided into units of clusters and stored (Fig 15), comprising:

a link information table in which link structure of said clusters in said storage medium is recorded (Fig 15, Ref 74);

a cluster table in which, of said clusters constituting said content data recorded in said storage medium, cluster numbers of said clusters are recorded at predetermined intervals (Fig 15, Ref 78); and

playback means for reading and playing in units of said clusters said content data stored in said storage medium (Fig 2), wherein

when said playback means plays said content data in reverse [Playing a file in reverse is a more narrow embodiment of randomly accessing a file (Paragraph 133),

if the cluster number of a target cluster to be read is recorded in said cluster table, said target cluster recorded in said cluster table and indicated by said cluster number is read from said storage medium [unit-record-area corresponding to the desired individual data of the object file (Paragraph 32)], and

if said cluster number of said target cluster is not recorded in said cluster table, said cluster number of said target cluster is obtained by moving along said link information table from, of said clusters recorded in said cluster table, a cluster previous to said target cluster, and the cluster indicated by said cluster number thus obtained is read from said storage medium [unit-record-area number near desired individual data of the object file, the retrieving section retrieves the record containing the desired data by referring to the file allocation table (Paragraph 32)].

6. As per claim 2, Karasudani discloses a playback control method for an electronics device that divides content data into units of clusters and stores them on a storage medium, and reads said content data in units of said clusters to play it back (Fig 15), said method comprising, in a case where said content data is played back in reverse (Paragraph 133):

a judgment step of judging whether or not a cluster number of a target cluster to be read is recorded in a cluster table that records, of the series of said clusters constituting said content data recorded on said storage medium, cluster numbers of said clusters at predetermined intervals [Karasudani describes a difference between a

unit-record-number corresponding to the unit record area and a unit-record-number near the desired data, thus there must be a judgment step (Paragraph 32));

a first reading step of reading, from said storage medium, a cluster indicated by said cluster number of said target cluster recorded in said cluster table if said cluster number of said target cluster is recorded in said cluster table [unit-record-area corresponding to the desired individual data of the object file (Paragraph 32)]; and

a second reading step where, if said cluster number of said target cluster is not recorded in said cluster table, a link information table, which records a link structure of said clusters in said storage medium, is traced from a cluster, of the clusters recorded in said cluster table, previous to said target cluster to obtain said cluster number of said target cluster, and the cluster indicated by said obtained cluster number is read from said storage medium [unit-record-area number near desired individual data of the object file, the retrieving section retrieves the record containing the desired data by referring to the file allocation table (Paragraph 32)].

Conclusion

7. The following is text cited from 37 CFR 1.111(c): In amending in reply to a rejection of claims in an application or patent under reexamination, the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. The applicant or patent owner must also show how the amendments avoid such references or objections.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Kravets whose telephone number is 571-272-2706. The examiner can normally be reached on M-F, 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached at (571)272-4182. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 7, 2006



Leonid Kravets
Patent Examiner
Art Unit 2189



BEHZAD JAMES PEIKARI
PRIMARY EXAMINER